IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

-

WRIT PETITION NO : 15492 of 1995

Between:

Meesala Rajaratnam Naidu, S/O. M.Tavitinaidu,
aged 28 years, Dolapeta Village, Rajam Mandalam,
Srikakulam District-532127

..... PETITIONER

AND

Chairman, Visakhapatnam Steel Plant,

Visakhapatnam.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction, particularly one in nature of writ of Mandamus directing the respondent to appoint the petitioner as senior accountant\senior auditor in Visakhapatnam steel plant, Visakhapatnatm.

Counsel for the Petitioner: NONE
Counsel for the Respondent: MR.V.RAVINDER RAO

The Court made the following:

ORDER:

This writ petition is filed seeking writ of Mandamus directing the respondent to appoint the petitioner as Senior Accountant/Senior Auditor in Visakhapatnam Steel Plant, Visakapatnam.

2. It is the case of the petitioner that he passed B.Sc., in First Class from Andhra University in April 1984 and also passed the examination for the Post Graduate Diploma in Public Accountancy in June 1990 from the A.P. Open University, Hyderabad. The Government of Andhra Pradesh, Finance and Planning (FW.Admn.II) Department issued G.O.Ms.No.4 dated 11.01.1988 recognising the aforesaid Post Graduate diploma in Public Accountancy as an alternative qualification for direct appointment to the post of Senior Accountants/Senior Auditors and Assistant Section Officers. Therefore, on 05.12.1991 the petitioner approached the respondent and sought appointment directly to the post of Senior Accountant/Senior Auditor, as there were vacancies. The said application of the petitioner was received by the respondent on 07.12.1991, however, the respondent failed to give any response to the said representation. It is also the case of the petitioner that he belongs to Turupu Kapu community, which is enlisted as one of the Backward Class communities. Therefore, he filed the writ petition and sought direction.

3. On behalf of the respondent, a detailed counter affidavit has been filed denying the allegations made by the petitioner. It is the contention of the respondent that the petitioner has no right, whatsoever, to approach the Management and seek for

employment directly. Unless and until notification is issued, no application, filed by any person, will be considered directly.

4. I am in full agreement with the submission made by the respondent. The petitioner has no right whatsoever to approach the authorities and seek for employment directly on the basis of some G.O. issued by the Government of Andhra Pradesh, which has no bearing. The writ petition is imaginary and speculative. The writ petition itself is not maintainable under law since none of the rights of the petitioner, if any, are infringed or the respondent has violated any of the statutory provisions or statutory duties. The writ petition is devoid of merits and liable to be dismissed.

5. The writ petition is, accordingly, dismissed. No order as to costs.

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C.V.RAMULU,J.

Date: 02nd March 2005.

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chairman, Visakhapatnam Steel Plant,

Visakhapatnam.

2. Two CD copies